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pg 10/17/01
Patent
Attorney Docket: 255/040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor: Michael J. Heller et al.

Serial No.: 09/597,866

Filed: June 20, 2000

For: APPARATUS AND METHODS FOR
ACTIVE PROGRAMMABLE MATRIX
DEVICES

)
) Group Art Unit: 1631

)
) Examiner: Marschel

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**AMENDMENT/RESPONSE TO RESTRICTION REQUIREMENT
and SEQUENCE STATEMENT 37 C.F.R. §1.821(f)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In responses to the Restriction Requirement dated September 13, 2001, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 19-22.

OC-93137.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 2, 2001
Date of Deposit

Denise Doss

Name of Person Mailing Paper

[Signature]
Signature of Person Mailing Paper

REMARKS/ARGUMENTS

In response to the Restriction Requirement dated September 13, 2001, in the above-identified application, Applicant hereby wishes to elect the subject matter of Group I (claims 1-18), including Species A, directed to the optical detection claims for continued prosecution in this application. This election is being made without traverse and without prejudice to continue prosecution of those claims.

The Examiner has objected to the sequence listing previously submitted. Applicant's submit a revised sequence listing and enclose herewith a disk copy and paper copy as required. Further, I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821(e), (f) and (g), or §1.825(d) and (b) respectively, are the same.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made." Prompt and favorable action on the merits of the claims is earnestly solicited. If any minor issues remain, please contact Applicants' undersigned representative at 949-567-2300.

Respectfully submitted,

LYON & LYON LLP

Dated: October 2, 2001

By: 

David B. Murphy
Reg. No. 31,125

“Version with markings to show changes made”

In the claims:

Cancel claims 19-22.